

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:20-cv-00435-M

TONY CREECH,

Plaintiff,

v.

ANDREW SAUL, Commissioner of
Social Security,

Defendant.

ORDER

On August 13, 2020, Magistrate Judge Jones issued a memorandum and recommendation (the “M&R”). [DE-4] In the M&R, Judge Jones recommended that the court deny Plaintiff Tony Creech’s motion for leave to proceed *in forma pauperis*. [DE-1] The deadline for Plaintiff to object to the M&R has passed, and Plaintiff has not filed any objections.

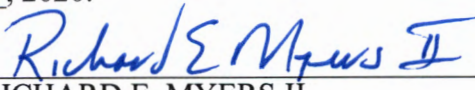
The Fourth Circuit has said:

The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made. By contrast, in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.

Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (internal quotation marks, brackets, emphases, and citations omitted); *see* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

The court has reviewed the M&R and the record and is satisfied that there is no clear error reflected on the face thereof. Accordingly, the court ADOPTS the M&R and DENIES Plaintiff's motion, and DIRECTS Plaintiff to tender the \$400 filing and administrative fee to the clerk.

SO ORDERED this the 2^d day of Sept., 2020.



RICHARD E. MYERS II
UNITED STATES DISTRICT JUDGE